

EFFECTIVE NOVEMBER 20, 1933

PLAINTIFF'S EXHIBIT

USG-829

UNITED STATES GYPSUM COMPANY

SALES POLICY FOR ASPHALT ROOFING PRODUCTS



HISTORICAL FILE

Trade-Mark Protest in

Received 12-5-33

DO NOT DESTROY

INTERSTATE INDUSTRIAL CONSUMERS

To Interstate Industrial Consumers meeting the following definition:

Large manufacturers, mining, packing, power companies, air transportation companies, etc., who operate plants in more than one state, and who purchase asphalt roofing products for their own use and not for resale, we will extend

Our Dealers' Sales Policy dated November 20, 1933 *except* no quantity discounts will apply.



US UNITED STATES GYPSUM COMPANY
300 WEST ADAMS STREET • CHICAGO

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EFFECTIVE NOVEMBER 20, 1933

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WHOLESALE LESS CARLOAD DISTRIBUTORS

● The discounts hereafter referred to will be allowed and made from our published dealer's price list in accordance with the terms and conditions set forth in our dealer's merchandising plan dated November 20, 1933.

To Wholesale Less Carload Distributors meeting the following definitions:

1. Shall have a "jobber" or "wholesaler" classification in a recognized, published trade directory or registry, or commercial credit directory.
2. Shall employ at least one salesman who is wholly engaged in selling in the field the jobber's line (including asphalt roofings) to dealers and roofers.
3. Shall normally maintain a minimum stock of 80,000 pounds of asphalt roofing products.
4. Shall regularly sell from his warehouse stock of asphalt roofing products at least fifty per cent (50%) at wholesale.
5. Shall have a sufficient financial capacity to carry on a wholesale or jobbing business.

We will allow the following discounts:

A. Discounts On Materials Taken Into Stock:

On all carload shipments of materials shown in our price list, by rail and/or water, and taken into Wholesale Less Carload Distributor's stock, we will allow the following discounts:

3% on July 1, 1933, on the above shipments made between June 12, 1933, and June 30, 1933.

3% on October 1, 1933, on shipments between July 1, 1933, and September 30, 1933.

3% on January 2, 1934, on shipments between October 1, 1933, and December 31, 1933.

B. Quantity Discounts:

On shipments made, as set forth hereafter, up to and including December 31, 1933, we will allow the following quantity discounts; such discounts to be credited to customer only after December 31, 1933, and as soon thereafter as it is possible to verify such credits:

25 to 49 cars	2%
50 to 74 cars	3%
75 to 99 cars	4%
100 cars and over	5%

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These discounts will only be allowed on carload shipments of asphalt roofings and shingles shipped into Wholesale Less Carload Distributors' stocks on and after June 12, 1933, up to and including December 31, 1933.

While discounts will only apply on asphalt roofings and shingles (Class A products) shipped into the Wholesale Less Carload Distributor's stocks in carload quantities after June 12, 1933, in computing tonnage for weight all carload and less carload shipments of asphalt roofings and shingles into Wholesale Less Carload Distributors' stock between January 1, 1933, and December 31, 1933, will be used.

Quantity discounts allowed will be computed only after deduction from face of invoice amount, the 3% discount on materials taken into stock.

Purchases made by Wholesale Less Carload Distributors for stocks from other manufacturers in accordance with the above, will also be allowed in computing tonnage for weight.

As of December 31, 1933, the Wholesale Less Carload Distributor, claiming discounts in accordance with the above, will make certified statements showing the amount of each class of material purchased from each manufacturer, naming such manufacturers in the statement.



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LINE LUMBER YARDS

HISTORICAL FILE

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● The discounts hereafter referred to will be allowed and made from our published dealer's price list in accordance with the terms and conditions set forth in our dealer's merchandising plan dated November 20, 1933.

To Line Lumber Yards meeting the following definitions:

Line Lumber Yards:

1. Shall be comprised of a group of dealers who may have a single firm name for our location with different names for different locations.
2. Shall make its purchases from the central administrative office, which office shall have a controlling financial interest in each yard or branch.
3. Said purchases for stock of said asphalt roofings and shingles from all manufacturers during the calendar year shall exceed 25 carloads.

We will allow the following discounts:

A. Discounts on Materials Taken into Stock:

On all carload shipments of materials shown on our price list, by rail and/or water, and taken into a Line Lumber Yard's stock, we will allow discount of 3% payable January 2, 1934, covering shipments made between June 12, 1933, and December 31, 1933.

B. Quantity Discounts:

On shipments made, as set forth hereafter, up to and including December 31, 1933, we will allow the following quantity discounts; such discounts to be credited to customer only after December 31, 1933, and as soon thereafter as it is possible to verify such credits:

25 to 49 cars		2%
50 to 74 cars		3%
75 to 99 cars		4%
100 cars and over		5%

These discounts will only be allowed on car-

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load shipments of asphalt roofings and shingles shipped into Line Lumber Yards stock on and after June 12, 1933 up to and including December 31, 1933.

While discounts will only apply on asphalt roofing and shingles (Class A products) shipped into the stocks of Line Lumber Yards in carload quantities after June 12, 1933, in computing tonnage for weight all carload and less carload shipments of asphalt roofings and shingles into Line Lumber Yards' stock between January 1, 1933, and December 31, 1933, will be used.

Quantity discounts allowed to be computed only after deduction from face of invoice amount, the 3% discount on materials taken into stock.

Purchases made by Line Lumber Yards for stocks from other manufacturers in accordance with the above, will also be allowed in computing tonnage for weight.

As of December 31, 1933, the Line Lumber Yard claiming discounts in accordance with the above, will make certified statements showing the amount of each class of material purchased from each manufacturer, naming such manufacturers in the statement.



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RAILROADS UNDER I. C. C. JURISDICTION

- (a) To railroads under I. C. C. Jurisdiction (common carriers) carload prices will apply on both carload and less carload shipments.
- (b) To railroads serving a freight equalization point, we will allow Carload or Less Carload freight (according to weight of shipment) from our factory to the point on the railroad's line-of-road to which we can make delivery at the shortest haul.
- (c) To railroads not serving a freight equalization point, we will equalize Carload or Less Carload freight (according to weight of shipment) from the Factory Point having the lowest Carload or Less Carload freight rate respectively to the nearest point of the Railroad's line-of-road to which said Factory can make delivery.
- (d) Freight equalization allowances will not be deducted from prices quoted but will be shown separately as "Freight Equalization Allowances."
- (e) Proof of proper destination and delivery in the form of the Railroad Freight Bill or duplicate thereof must be submitted to substantiate freight equalization allowances.
- (f) If as permitted, under I. C. C. rulings Railroads "deadhead" shipments and no freight bills are issued, the destination and the routing named by the Railroads in their Purchase Orders will be accepted as the basis for granting freight equalization allowances on such "deadhead" shipments.



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